

<u>APPLICATION NO:</u>	22/00773/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	2 Court Hey Road, Roby, Knowsley, L16 2LZ		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION, CANOPY TO FRONT, EXTENDED DECKING AREA WITH GLASS BALUSTRADE TO SIDE/REAR TOGETHER WITH ASSOCIATED WORKS.		

Site Description

The application property is situated on a corner plot located at the junction where Court Hey Road and Roby Road meet. It is rendered in a cream finish and accommodates a hip roof. The openings are white UPVC. The property has been previously extended at the rear in the form of a single storey lean to conservatory.

The property is contained by low lying brick wall and partial railings and hedgerow fronting the boundary off Roby Road. The property has a large open parking area located off Court Hey Road and the common law boundary and rear garden is contained by mature hedgerow.

The main property sits at a slightly increased elevation to that of the neighbouring property on Court Hey Road located at the rear due to the ground levels on site which result in a change of topography from the rear elevation to the rear property boundary.

Proposal

The application proposals seek the erection of a single storey rear extension, alteration to the property boundary to accommodate a change of parking provision and new decking area with glazed balustrade and associated works. The majority of the associated works consist of materials treatment to the main property, garage conversion and boundary treatments which can be undertaken via permitted development and after discussion with the applicant are not subject to this application.

The single storey rear extension would measure 5.9m in width by 4.1m in depth. It would accommodate an asymmetric roof which would measure 3m – 4m at the eaves due to the topography of the site and attain a maximum height of 4.7m and would include a ridge rooflight. The rear elevation would include glazed casement window which would follow the angle of the roofline.

New decking is proposed around the perimeter of the rear extension and would measure .6m -.8m from ground floor level. It would be secured via timber posts and contained by glass balustrades measuring 1.9m in height at its highest point.

The proposals would provide a new kitchen and dining area together with a snug

located in the garage conversion which will be undertaken via permitted development rights.

Consultations

Highways – No objections.

Tree Officer – No objection subject to loss of existing assets to be mitigated for.

Representations

This application has been publicised by letters sent to 5 neighbours and displayed via site notice. No comments have been received.

Planning History

Ref: 00/00440/FUL – Erection of conservatory to rear of dwelling. Granted 15th September 2000.

Ref: 99/00439/APP – Erection of single storey extension and conservatory to side of dwelling for the purposes of a nursery for 10 children between 9am and 4pm Monday to Friday. Granted 25th October 1999.

Ref: 10/00059/COU – Change of use from C3 residential property to dental surgery (D1) together with erection of single storey entrance lobby and additional parking. Refused 26th November 2014.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development
H5 – Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD (2016) is a material consideration for the purposes of this planning application and provides additional guidance in relation to householder development within Knowsley Borough.

The application property is located within a Primarily Residential Area identified in the adopted Local Plan Core Strategy. As such, the erection of a rear extension at the existing residential property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy H8 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact and ensuring adequate car parking spaces remain.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Design

Porch

The porch would be constructed with an open canopy structure measuring .9m in depth, 2.6m in height and 3.8m in width. It would consist of a metal canopy and timber cladding to the soffit and return wall. The addition of canopy structure is a relatively small addition and would correspond to the proposed addition of timber cladding located at the front elevation which is to be undertaken using the property's permitted development rights. Notwithstanding this, the use of timber cladding facing the front elevation would help the property to assimilate into the natural tree line boundaries and the proposed canopy would positively correspond to its appearance.

The application property is unique in terms of its appearance in contrast to the surrounding properties. The extension would not unacceptably obstruct the outlook of

neighbouring properties due to the application property's position and therefore it is considered the porch is acceptable in terms of design.

Rear extension

The Householder Development SPD advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to neighbours or appear unduly dominate.

Following the demolition of the existing single storey rear extension, the proposed rear extension would be built upon the existing foundation. The proposed rear extension would be faced in render at the side elevation fronting Court Hey Road. Its rear elevation would be render and accommodates 1 window and bi-fold doors connected to the side elevation together with top hung casement windows which would follow the angle of pitch associated with the a-symmetric roof.

Whilst a more traditional roof arrangement would have been preferred, the proposed design provides a contemporary aesthetic which is harmonious with the additions to the front and side elevation of the property and is compliant with the Householder Development SPD with regards to a pitched roof. In addition, due to the siting of the proposed development and the new boundary treatments the a-symmetric roof would not be visible from the public highway.

As such, the rear extension is acceptable in terms of design.

Decking/balustrade

The topography of the site has an undulating topography towards the rear property boundary. The proposed development seeks to extend the existing hardstanding to provide a new decking area to the side and rear. Timber posts will offer security with a glazed balustrade.

The glass balustrade is of simple design and would not appear dominate in the context of the dwellinghouse due to the use of clear glazing.

The decking and associated balustrade is acceptable in terms of design.

Garage conversion

The garage conversion is not subject to this application and can be constructed under permitted development rights.

Boundary treatments

The application as originally submitted sought to change the boundary features of the application property to include low brick wall, hedge and 1.8m tall timber fence along the frontages of Court Hey Road and Roby Road to allow for increased private amenity space.

The Local Planning Authority raised concerns that this would not be supported given the boundary fencing height in relation to public highway would likely result in a dominant affect to the character and appearance of the street scene.

The Local Planning Authority has worked positively with the applicant who is no longer seeking the erection of the 1.8m fence to the boundary fronting Roby Road as

originally submitted. Instead, the boundary treatments fronting Roby Road have been reduced and the boundary treatments located off Court Hey Road are set in by 2m. As such, these proposals fall under the scope of permitted development.

Trees

Although there is some loss of natural planting at the property boundary, the applicant is increasing the level of hedgerow surrounding the property together with additional planting located at the front garden. As such, it is considered that sufficient replacement provision is provided together with additional growing garden which outweighs the loss of relatively small shrubbery.

Residential Amenity

No. 4 & No. 6 Court Hey Road

No. 4 & 6 are a pair of semi-detached properties found at the rear of the application property. They are unique in terms of design due to the L shape arrangement.

No. 4 has a blank gable wall fronting the rear elevation of the application property where the proposed single storey extension would be located. As such, it is not considered that the proposed rear extension which replaces the existing conservatory would result in adverse living conditions to no. 4 & no. 6.

Notwithstanding the above, the rear elevation of no. 4 and the rear and side elevation of no. 6 are visible from the rear garden where the extended decking is proposed. However, the property benefits from hardstanding and a raised decked area in this location and although the decking would extend over what is currently the hardstanding/grass lawn and would sit slightly higher than ground floor level it would not materially affect the existing use or views already visible from the garden in this location. As such, it is not considered that adverse impacts to residential amenity would occur as a result of the proposed development.

No. 1 Court Hey Road

No. 1 is located opposite the application property. Given that no windows are proposed in the rear extension and it would be largely obscured by new planting arrangements, no adverse effects to residential amenity would occur as a result of the proposed development.

Highways

No highways impact would occur as a result of the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt and in the interest of visual amenity to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

Date Received	Ref. No	Version	Drawing/Document Title
22.03.2023	1648-001B		LOCATION PLAN, SITE PLAN AS EXISTING, PROPOSED BLOCK PLAN
22.03.2023	1648-010D		PROPOSED SITE PLAN
25.01.2023	1648-012 B		PROPOSED ELEVATIONS
15.12.2023	1648-011C		PROPOSED FLOOR AND ROOF PLANS

Signed Case Officer¹: John Fleming

Signed Authorising Officer²: K Foster

Date: 3 April 2023

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

Appendix 1 – Site Photographs





Note: Photo taken from where extended decking is located